

Application No.: 10/582,417
Filing Date: May 23, 2007

REMARKS

In summary, Claims 1-17 were pending. Claims 1-17 are cancelled without prejudice or disclaimer. Claims 18-36 have been added. Therefore, Claims 18-36 are currently pending.

Abstract

The Examiner objected to the abstract of the disclosure as it did not commence on separate sheet in accordance with 37 CFR § 1.52(b)(4). Appendix A includes a new abstract of the disclosure filed on a separate sheet to address the objection.

Substitute Specification

The Examiner requires a substitute specification in proper idiomatic English and in compliance with 37 CFR § 1.52(a) and (b). Appendix A includes a Substitute Specification to address this objection. The Substitute Specification includes no new matter.

Objection to Claim 1-17 Based on Informalities

Claims 1-17 were objected to based on various informalities. Claims 1-17 have been canceled in the present amendment and Applicant submits that these objections are therefore moot.

Rejection Under 35 U.S.C. § 112

Claims 1-17 have been rejected as failing to define the invention in the manner required under 35 U.S.C. § 112, second paragraph. Applicant respectfully traverses this rejection. However, Applicant has cancelled Claims 1-17 without prejudice or disclaimer and submits that this rejection is therefore moot.

Rejection of Claims 6-10 and 12-16 Under 35 U.S.C. § 102(b)

Claims 6-10 and 12-16 have been rejected under 35 U.S.C. 102(b) as being anticipated by Pompa (5,320,529). Applicant respectfully traverses this rejection. However, Applicant has cancelled Claims 6-10 and 12-16 without prejudice or disclaimer and submits that this rejection is therefore moot.

Rejection of Claims 1-5 Under 35 U.S.C. § 103(a)

Claims 1-5 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Pompa in view of Peckitt (6,254,639). Applicant respectfully traverses this rejection. However, Applicant has cancelled Claims 1-5 without prejudice or disclaimer and submits that this rejection is therefore moot.

Rejection of Claims 11 and 17 Under 35 U.S.C. § 103(a)

Claims 11 and 17 have been rejected under 35 U.S.C. 103(a) as being unpatentable over Pompa. Applicant respectfully traverses this rejection. However, Applicant has cancelled Claims 11 and 17 without prejudice or disclaimer and submits that this rejection is therefore moot.

New Claims 18-37

Claims 18-23

New Claims 18-23 have been added and are believed to be fully distinguished over the prior art of record. Specifically, among other features, independent Claim 18 includes features directed towards a template for the production of a working model. For example, Claim 18 recites, in part:

“...a dental template configured to be applied to the patient, the dental template including one or more through-bores configured to guide a drilling tool for drilling one or more holes in the patient’s jawbone corresponding to the desired fixture locations, wherein positions of the one or more through-bores are based upon the desired fixture locations determined by the computing system; and

a working model of the dental structure of the patient, the working model formed within the dental template and having surfaces corresponding to inner surfaces of the dental template.

In some embodiments, for example, a template may be created using stereolithography from a scan of the patient’s dental structure. An impression of the template may be used, for example, to create the working model. Among other features of Claim 18, Pompa does not disclose “a working model of the dental structure of the patient, the working model formed within the dental template and having surfaces corresponding to inner surfaces of the dental template.” Rather, Pompa discloses creating a jawbone model and then constructing a template from the jawbone model. (Pompa, col. 2, line 58 – col. 3, line 8.)

Because the prior art of record does not include all of the features of Claim 18, Applicant respectfully requests that the Examiner pass these claims to allowance. Claims 19-23 depend from Claim 18. Applicant requests that the Examiner pass Claims 19-23 to allowance based on their dependency and for the additional features recited therein.

Claims 24-25

New Claims 24-25 have been added and are believed to be fully distinguished over the prior art of record. Specifically, among other features, independent Claim 24 recites:

A dental assembly, comprising:

 a template including a channel configured to follow a contour of and abut against a patient's dental structure, the template comprising an opening extending through the template;

 a sleeve configured to extend through the opening, the sleeve configured to guide a drill for forming a hole for receiving a dental implant, the sleeve further configured to ensure a defined amount of recess and a defined orientation of the implant when the implant is installed in the jawbone of the patient,
 wherein the sleeve is adhesively bonded to the template.

Among other features, Pompa does not recite "a sleeve configured to extend through the opening, the sleeve configured to guide a drill for forming a hole for receiving a dental implant, the sleeve further configured to ensure a defined amount of recess and a defined orientation of the implant when the implant is installed in the jawbone of the patient, wherein the sleeve is adhesively bonded to the template." Rather, Pompa discloses surgical guide rings 25a and 25b which can be placed in the bores 38 of the template 16. (Pompa, col. 5, lines 33-43.) Pompa does not disclose adhesively bonding the guide rings 25a and 25b to the template. In addition, Pompa teaches away from adhesively bonding the guide rings 25a and 25b to the template, adhesive bonding of the guide rings 25a and 25b would undermine the principle of operation of Pompa and would render Pompa unsatisfactory for its intended purpose. Pompa teaches that multiple guide rings 25a, 25b may be used for each bore to create successively larger holes. For example, Pompa recites "Initially, the guide ring 25a having a smaller inner diameter is used along with a smaller bur to drill a pilot hole. Then surgical guide ring 25b, and a corresponding larger bur, can enlarge the hole. A series of surgical guide rings and burs may be used to enlarge the hole to a desired size." (Pompa, col. 5, lines 46-51.) If the guide rings 25a and/or 25b were adhesively bonded to the bores 38 of the template 16 of Pompa, a user would no longer be able to create the successively

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larger holes using multiple guide rings 25a, 25b as disclosed by Pompa because the initially bonded ring would be fixed in place.

For the aforementioned reasons and because the prior art of record does not include all of the features of Claim 24, Applicant respectfully requests that the Examiner pass this claim to allowance. Claim 25 depends from Claim 24. Applicant requests that the Examiner pass Claim 25 to allowance based on its dependency and for the additional features recited therein.

Claims 26-36

New Claims 26-36 have been added and are believed to be fully distinguished over the prior art of record. Specifically, among other features, independent Claim 26 includes features directed towards a template for the production of a working model. For example, Claim 26 recites, in part:

Claim 26 recites:

A method of constructing components related to a prosthetic installation, comprising:

providing a template configured to be applied to the patient and to guide a drilling tool for drilling one or more holes in the patient's jawbone corresponding to the desired fixture locations; and

creating a working model of the dental structure using the template.

In some embodiments, for example, a template may be created using stereolithography from a scan of the patient's dental structure. An impression of the template may be used, for example, to create the working model. Among other features of Claim 26, Pompa does not disclose "creating a working model of the dental structure using the template." Rather, Pompa discloses creating a jawbone model and then constructing a template from the jawbone model. (Pompa, col. 2, line 58 – col. 3, line 8.)

Because the prior art of record does not include all of the features of Claim 26, Applicant respectfully requests that the Examiner pass these claims to allowance. Claims 27-36 depend from Claim 26. Applicant requests that the Examiner pass 27-36 to allowance based on their dependency and for the additional features recited therein.

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No Disclaimers or Disavowals

Although the present communication may include alterations to the application or claims, or characterizations of claim scope or referenced art, Applicant is not conceding in this application that previously pending claims are not patentable over the cited references. Rather, any alterations or characterizations are being made to facilitate expeditious prosecution of this application. The Applicant reserves the right to pursue at a later date any previously pending or other broader or narrower claims that capture any subject matter supported by the present disclosure, including subject matter found to be specifically disclaimed herein or by any prior prosecution. Accordingly, reviewers of this or any parent, child or related prosecution history shall not reasonably infer that the Applicant has made any disclaimers or disavowals of any subject matter supported by the present application.

Co-Pending Applications of Assignee

Applicant wishes to draw the Examiner's attention to the following co-pending applications of the present application's assignee.

Docket No.	Serial No.	Title	Filed
NOBELB.217C2	12/014031	DEVICE FORMING PART OF A DENTAL SCREWING ARRANGEMENT	01-14-2008
NOBELB.218C1	11/172291	DEVICE AND ARRANGEMENT FOR FIXTURE INSTALLATION	06-30-2005
NOBELB.270NP	11/573193	GUIDE DEVICE ABLE TO INTERACT WITH A NUMBER OF SLEEVES DISPOSED IN A TOOTH TEMPLATE	07-06-2007
NOBELB.271NP	11/573196	DEVICE AND PROCEDURE FOR FACILITATING THE FITTING OF A TOOTH OR TOOTH REMNANT TEMPLATE INTO THE RIGHT POSITION	11-09-2007
NOBELB.290C1	10/710170	ARRANGEMENT AND DEVICE FOR USING A TEMPLATE TO FORM HOLES FOR IMPLANTS IN BONE, PREFERABLY JAW BONE	06-23-2004

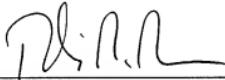
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NOBELB.342NP	12/299598	A DEVICE FOR SECURING A DENTAL IMPLANT IN BONE TISSUE, A METHOD FOR MAKING A SURGICAL TEMPLATE AND A METHOD OF SECURING A DENTAL IMPLANT IN BONE TISSUE	11-04-2008
NOBELB.353RE	12/371545	METHOD, ARRANGEMENT AND PROGRAM FOR A PROSTHETIC INSTALLATION	02-13-2009

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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